

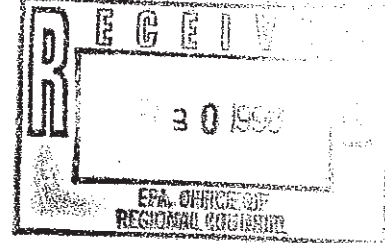


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

June 29, 1998



MEMORANDUM

SUBJECT: Review of Public Participation for Proposed Aquifer Exemptions Under 40 CFR Part 146

FROM: Larry D. Wright, Chief *Larry Wright*
Source Water Protection Branch (6WQ-S)

TO: Barbara Pace, Chief,
Multi-Media Programs Counseling Branch (6RC-C)

This memorandum is to secure the comments and/or concurrence of Regional Counsel for the proposed exemption of two aquifers by the Texas Natural Resource Conservation Commission (TNRCC). These proposed exemptions constitute non-substantial revisions to the TNRCC UIC program and have previously been reviewed by the Ground Water/UIC Section with the assistance of Pat Rankin. That review resulted in a request by Region 6 to TNRCC to allow the public an opportunity for a more accessible form of public participation than afforded under their contested case hearing process. In response, TNRCC announced and subsequently conducted a public meeting on April 7, 1998 for both the Rosita and Vasquez aquifer exemptions. Attached, for your review, is a copy of the official transcript of that meeting forwarded to us by the TNRCC. According to Dale Kohler of the TNRCC, the transcript was mailed to all participants of the public meeting and as such represents their written response to comments. We have reviewed the transcript and propose that public participation requirements have been met. To expedite our response, we have attached a proposed letter approving the revisions. If, after review by Regional Counsel, you agree, we would ask that you review and concur or comment on the approval letter.

Should you or your staff have any questions, regarding our proposed revision approvals, please contact Ray Leissner of my staff at (214)665-7183. There has been a high degree of interest expressed by both TNRCC and the operator on this matter. An estimate on the time needed by your staff to review this package would be appreciated. Thank you for your prompt attention to this matter.

Attachments (2)